

DECLARATION AND POWER OF ATTORNEY

As the below-named inventors, we hereby declare that:
our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed
and for which a patent is sought on the invention entitled

**HEARING TEST APPARATUS AND
METHOD HAVING AUTOMATIC STARTING FUNCTIONALITY**

the specification which is being filed on even date herewith.

We hereby state that we have reviewed and understand the contents of the above-identified
specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this
application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

And we hereby appoint:

the address and telephone number of each of whom is McAndrews, Held & Malloy, Ltd, 500 West
Madison Street, 34th Floor, Chicago, Illinois 60661, 312-707-8889, as our attorneys with full power of
substitution and revocation to prosecute this application and to transact all business in the Patent and
Trademark Office connected therewith.

PTO REGISTRATION NUMBERS

George P. McAndrews	Reg. No. 22,760
John J. Held	Reg. No. 21,061
Timothy J. Malloy	Reg. No. 25,600
William M. Wesley	Reg. No. 26,521
Lawrence M. Jarvis	Reg. No. 27,341
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Steven J. Hampton	Reg. No. 33,707
Priscilla F. Gallagher	Reg. No. 32,223
Stephen F. Sherry	Reg. No. 30,590
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George Wheeler	Reg. No. 28,766
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Ronald E. Larson	Reg. No. 24,478
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Edward A. Mas II	Reg. No. 37,179
Gregory C. Schodde	Reg. No. 36,668
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John F. Nethery	Reg. No. 42,928
Stephen H. Bean	Reg. No. 41,607
Alison L. Pollock	Reg. No. 43,863
James Nuttall	Reg. No. 44,978
James P. Murphy	Reg. No. 40,741
Dean A. Pelletier	Reg. No. 45,007
Joseph M. Barich	Reg. No. 42,291
Scott P. McBride	Reg. No. 42,853
Patricia J. McGrath	Reg. No. 44,919
Andrew M. Everest	Reg. No. 44,674
Christopher V. Carani	Reg. No. 44,049

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Steven J. Iseberg

Full name of first inventor Steven J. Iseberg
Inventor's signature *Steven J. Iseberg*

Date 2000-3-1

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Rolling Meadows, Illinois 60008

Citizenship USA

Post Office Address_____

1. $\frac{1}{2}$ of the total population
 2. $\frac{1}{4}$ of the total population
 3. $\frac{1}{8}$ of the total population
 4. $\frac{1}{16}$ of the total population
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 106. $\frac{1}{81129638414606681695789005144064}$ of the total population
 1

Full name of second inventor Gregory R. Shaw

Inventor's signature *Greg Shaw* Date Feb 16/2000

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09517042-030200

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Inventor's signature *Erik Gundersen* Date 2/11/00

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051704203030

Full name of fourth inventor Laurel Christensen

Inventor's signature *Laurel A. Christensen* Date 2-14-00

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Citizenship USA

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Full name of fifth inventor Mead C. Killion

Inventor's signature Mead C. Killion Date 00/2/11

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Elk Grove Village, Illinois 60007

Citizenship USA

Post Office Address _____

005170430300

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: ETYMOTIC RESEARCH, INC.

Address of Concern: 61 Martin Lane, Elk Grove Village, Illinois 60007

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: HEARING TEST APPARATUS AND METHOD HAVING AUTOMATIC STARTING FUNCTIONALITY by inventors STEVEN J. ISEBERG, GREGORY R. SHAW, ERIK C. GUNDERSEN, LAUREL A. CHRISTENSEN and MEAD C. KILLION described in

- ☒ the specification filed herewith
☐ Application Serial No.
☐ Patent No. , issued.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Mead Killion

Title of Person Other Than Owner: President

Address of Person Signing: 61 Martin Lane, Elk Grove Village, Illinois 60007

Mead C. Killion

Signature

Date: *Mar 2, 2000*

(Mar 2, 2000 MCK)